

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 9, 1990
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:25 a.m. The meeting was recessed by Mayor O'Connor at 12:50 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:20 p.m. with Mayor O'Connor and Council Members Roberts, Pratt and McCarty not present. Mayor O'Connor adjourned the meeting at 5:10 p.m. to meet in Closed Session on Tuesday, January 16, 1990, at 9:00 a.m. in the twelfth floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Fishkin (mp;jb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-200: (R-90-871) ADOPTED AS RESOLUTION R-274961

Council confirmation of the following appointments by the Mayor to serve as members of an ad hoc Open Space Committee for purposes of evaluating and updating the City's Open Space Acquisition List pursuant to Section 43(b) of the City Charter:

(See memorandum from Mayor O'Connor dated 12/18/89.)

Ms. Norma Assam	Mr. Dan Allen
Ms. Dorothy Leonard	Ms. Ruth Schneider
Mr. Bob Glaser	Ms. Linda Michael
Mr. Mike McDade	Ms. Andrea Skorepa
Mr. Patrick Kruer	Ms. Catherine Montgomery
Mr. Mike Madigan	Mr. Daniel Weber
Mr. Phil Pryde	Ms. Janay Kruger
Mr. Joe Yamada	Mr. Mark Nelson
Ms. Ruth Merrill	Mr. Don Wood
Mr. Bernie Rhinerson	Mr. Thomas Sheffer
Mr. Phil Walling	

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-219.)

Motion by Hartley to adopt and to incorporate Council Member Henderson's request to require members of the Open Space Advisory Committee to disclose income and investment information by filing a Form 730 annual statement with the City Clerk, and also to direct the City Attorney to prepare a conflict-of-interest code for the Open Space Committee and return it to Council for adoption by February 5, 1990. Second by Roberts. No vote taken.

MOTION BY ROBERTS TO ADOPT THE RESOLUTION CONFIRMING THE APPOINTMENTS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Roberts to require members of the Open Space Advisory Committee to file Form 730. Second by Hartley. Passed by the following vote: Yeas-2,3,5,6,7,8,M. Nays-1,4. Not Present-None.

Motion by Bernhardt to refer the question of conflict-of-interest disclosures on all boards and commissions to the Rules Committee for discussion. Second by Filner. Passed by the following vote: Yeas-1,2,3,4,5,6,7,8,M. Nays-None. Not Present-None.

Motion by Henderson to direct the City Attorney prepare the Conflict-of-Interest Code for the Open Space Committee. Second by McCarty. Failed by the following vote: Yeas-6,7,M. Nays-1,2,3,4,5,8. Not Present-None.

ITEM-330: (O-90-119) CONTINUED TO JANUARY 16, 1990

Consideration of an Emergency Ordinance which would prevent public hearings and the issuance of development and building permits within a portion of the Otay Mesa Community Plan area. Emergency Ordinance O-17186, enacted November 21, 1988 prevented hearings for development applications within a portion of Otay Mesa for one year to preserve Otay Mesa for consideration as a potential future site of a regional commercial airport. The City Council has since authorized the San Diego Association of Governments to conduct an additional analysis of Brown Field as a potential component of a multi-airport system and wishes to protect that option until this analysis is completed. The subject of this hearing will be a proposal to impose a moratorium on public hearings, development

permits and building permits for a period of ninety (90) days to allow SANDAG to complete their analysis.
(District-8.)

(Initiated by Rules Committee on 12/6/89. Recommendation to approve the proposed moratorium. Districts 1,2,4,5, 8 and Mayor voted yea.)

Introduction and adoption of an Emergency Ordinance.

FILE LOCATION: LAND - Otay Mesa Community Plan

COUNCIL ACTION: (Tape location: E067-F390.)

Hearing began at 2:24 p.m. and halted at 3:28 p.m.

Testimony in favor by Richard Melaas, Mike Strode and Andrea Korogi.

Testimony in opposition by Charles Black, Jeff Hamann, Wallace Neidhardt, Tom Hom, Martin Thompson, Antonio Blas, James Milch, Sam Williams and Julius Paeske.

Council Member Roberts entered at 2:24 p.m.

Mayor O'Connor entered at 3:08 p.m.

Council Member McCarty entered at 3:15 p.m.

Deputy Mayor Wolfsheimer closed the hearing.

MOTION BY HENDERSON TO CONTINUE ONE WEEK (1-16-90), AT THE CITY ATTORNEY'S REQUEST, TO MAKE REVISIONS TO THE ORDINANCE REFLECTING THE COUNCIL'S ACTION TO EXCLUDE ALL INDUSTRIAL PROJECTS WITH FINAL MAPS AND SUBJECT ALL PROPERTIES IN THE ORIGINALLY SUGGESTED BOUNDARIES TO A 30-FOOT HEIGHT LIMIT DURING THE COURSE OF THE MORATORIUM. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-90-926) CONTINUED TO JANUARY 23, 1990

Changing the name of Frazee Road, located north and south of Friars Road, to Sunroad Boulevard; declaring that the signage shall indicate both the old street name and the new street name for a period of one year following the adoption

date of this resolution, for the convenience of the general public; authorizing the installation and removal of the necessary signs and markings.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The applicants have submitted a request to change the street name of Frazee Road to Sunroad Boulevard. Frazee Road traverses in a north/south direction and is 80 percent improved north of Friars Road and unimproved south of Friars Road. The applicants sent letters to the adjacent property owners requesting support of the name change and further requested that the letters be returned with a response to the proposal. Those letters which were returned were then submitted as the petition. There are 14 properties which have street frontage adjacent to Frazee Road. Ten of those properties are considered affected. It is noted here that an affected property is one that has an address change resulting from the name change. The submitted petition includes replies and signatures from only seven of the adjacent properties, of which one is from a non-affected property owner. The tenants of

the owners were also included and have sided with their respective lessors. The responses have been consolidated on the basis of one vote per affected property. The following results are based on percentages of the ten affected properties (ownerships) involved:

Affected Properties/In Favor: 5 (26 tenants) 55 percent

Affected Properties/Against: 4 (2 tenants) 45 percent

Affected Properties - Total: 9 100 percent

Staff recommended approval at the Planning Commission hearing of May 9, 1989. However, due to the testimony and hardships presented at the hearing, the Planning Commission denied the request by a 6-0 vote.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A233-245.)

MOTION BY BERNHARDT TO CONTINUE THE ITEM TO JANUARY 23, 1990, AS REQUESTED BY THE APPLICANT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-90-93) INTRODUCED, TO BE ADOPTED
JANUARY 22, 1990

Introduction of an Ordinance amending Chapter IX, Article 1, Division 85, of the San Diego Municipal Code by amending the Title of Division 85, by repealing Sections 91.8501, 91.8502, 91.8503, 91.8504, 91.8505, 91.8506, 91.8507, 91.8508, 91.8509 and 91.8510, and by adding Sections 91.8501, 91.8502, 91.8503, 91.8504, 91.8505, 91.8506, 91.8507, 91.8508 and 91.8509, relating to Removal, Relocation, and Transportation of Structures (Move-on Buildings).

(See City Manager Report CMR-90-01; Committee Consultant Analysis TLU-89-2 and TLU-88-31.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 2/13/89.

Recommendation to approve the City Manager's recommendation and the recommended additions included in TLU-89-2, providing reference to other appropriate Code requirements for building permits, historic sites, and enforcement options through the use of the Civil Penalties Ordinance. Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A220-232.)

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE FOR ITEM-332 AND INTRODUCE AND ADOPT THE ORDINANCE FOR ITEM-335. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (O-90-118) RETURNED TO THE MAYOR FOR REDOCKETING

Introduction and adoption of an Ordinance amending Ordinance No. O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of the Special Promotional Program 91602, ("Committee Staff") Fund 10224, by deleting one Word Processing Operator position and adding in lieu thereof one Council Representative II position; exempting the new Council Representative II

position and two Council Representative II positions (set forth in Program 91526, "Downtown Marketing") from the Classified Service; establishing a salary rate for the three Council Representative II positions.

(See memorandum from Ben Dillingham dated 12/13/89; memorandum from the Personnel Director dated 12/18/89.)

NOTE: See Item 204 on the docket of Monday, January 8, 1990 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A220-232.)

MOTION BY ROBERTS TO RETURN ITEMS-333 AND -334 TO THE MAYOR FOR REDOCKETING. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-90-99) RETURNED TO THE MAYOR FOR REDOCKETING

Introduction and adoption of an Ordinance No. O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of Council District 6 (026) by adding one Council Representative II position; exempting the Council Representative II position from the Classified Service; establishing a salary rate therefor; authorizing the Auditor and Comptroller to transfer the sum of \$25,000 from the Unallocated Reserve (605) to Council District 6 (026) to fund the position.

(Mission Bay Community Area. District-6.)

NOTE: See Item 205 on the docket of Monday, January 8, 1990 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A220-232.)

MOTION BY ROBERTS TO RETURN ITEMS-333 AND -334 TO THE MAYOR FOR REDOCKETING. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-335: (O-90-117) INTRODUCED AND ADOPTED AS ORDINANCE
 O-17413 (New Series)

19900109

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1989-90 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of the Engineering and Development Department 540 to delete one Assistant Civil Engineer and one Deputy Director position and add in lieu thereof two Assistant Deputy Directors;

exempting the Assistant Deputy Directors from the
Classified Service; and establishing a salary therefor.

CITY MANAGER SUPPORTING INFORMATION: This ordinance will add one Assistant Deputy Director to the Engineering and Development Department in lieu of one Assistant Civil Engineer and will add one Assistant Deputy Director to the Engineering Department in lieu of one Deputy Director. These two additional positions will allow the department to reorganize by combining the existing functions of the Support Services Division into the existing Transportation Design Division and the existing Field Engineering Division. The existing Support Services Deputy Director position will be reclassified to Assistant Deputy Director and assigned to the Design Division.

The Assistant Civil Engineering position, in the Field Division, will be reclassified to an Assistant Deputy Director position. The existing eight divisions have resulted in an overly broad "span of control" for the department which will be resolved by this reorganization. The two Assistant Deputy Director positions will provide a management team in each of the two divisions that will facilitate managing the large, diverse operations that are responsible, in the case of the Design Division, for a City-wide design program of public facilities, and in the case of the Field Division, of managing the

inspection of all public facilities, both City contract and the subdivision process. On December 14, 1989 the Civil Service Commission commented favorably on exempting the two additional Assistant Deputy Director positions from the Classified Service.

NOTE: See Item 206 on the docket of Monday, January 8, 1990 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-232.)

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE FOR ITEM-332 AND INTRODUCE AND ADOPT THE ORDINANCE FOR ITEM-335. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (R-89-2424) ADOPTED AS RESOLUTION R-274963

(Continued from the meetings of July 25, 1989, Item 341 and October 3, 1989, Item 336; last continued at the City Manager's request, for further review.)

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed

maintenance, in the matter of the Gateway Center East
Landscape Maintenance District.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessment for the Gateway Center East Landscape Maintenance District. The district provides maintenance for the landscaped open space easements as well as landscaping along the frontage of all lots and medians on Market Street and Gateway Center Drive. The estimated maintenance costs for the district for Fiscal Year 1990 are as follows:

Contractual Maintenance	\$ 55,167
Personnel	7,843
Utilities	20,250
Incidentals	13,355
Total Expenses	\$ 96,615
Reserve	9,190
Total	\$105,805
Less Carry-over & Interest	3,500

Less City Contribution	944
Assessed to District	\$101,361

The assessment amounts for Fiscal Year 1990 range from approximately \$1,800 to \$22,000 per parcel depending on the size of parcel and landscaped frontage. The corresponding range in Fiscal Year 1989 was from \$900 to \$11,000. The annual cost of maintenance remains approximately the same for Fiscal Year 1990 compared to Fiscal Year 1989. The apparent increase in the assessments is due to the fact that a large carry-over from Fiscal Year 1988 was used to reduce the assessments in Fiscal Year 1989 as requested by the property owners.

FILE LOCATION: STRT M-201

COUNCIL ACTION: (Tape location: F391-460.)

Hearing began at 3:30 p.m. and halted at 3:33 p.m.

MOTION BY PRATT TO CLOSE THE HEARING AND ADOPT ALTERNATIVE "A".

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-337:

Appeal of Reza Paydar by Matthew A. Peterson, Attorney,
from the decision of the Planning Commission in denying

Hillside Review Overlay Zone and Coastal Development Permits HRP/CDP-88-0923 for a single-family residence. The subject property (approximately 1.1 acres) is located at the westerly terminus of Clemson Circle, west of Rutgers Road and is more particularly described as Parcel 2, Lot 14, Muirlands Vista Map-3133 in Zone R1-20,000/HR in the La Jolla Community Plan area.

(HRP/CDP-88-0923. District-1.)

Subitem-A: (R-90-) FILED AS A RESULT OF THE APPEAL
BEING DENIED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0923 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

19900109

Subitem-B: (R-90-1433) ADOPTED AS RESOLUTION R-274964,
DENIED APPEAL, DENIED PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the HRP permit, with appropriate findings to support Council action.

Subitem-C: (R-90-1434) ADOPTED AS RESOLUTION R-274965,
DENIED APPEAL, DENIED PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the CDP permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A-B PERM - HRP 88-0923; Subitem C
PERM - CDP 88-0923

COUNCIL ACTION: (Tape location: F491-G615.)

Hearing began at 3:35 p.m. and halted at 4:26 p.m.

Testimony in favor of the appeal by Donald Worley.

Testimony in opposition to the appeal by Jeff Stoke and Hugh Ness.

Mayor O'Connor closed the hearing.

MOTION BY WOLFSHEIMER TO DENY THE APPEAL AND PERMITS AND SEND THEM BACK FOR SOMETHING THAT IS MORE COMPATIBLE WITH THE

NEIGHBORHOOD. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-yea.

ITEM-338:

Matters which affect the following real property:

Lot 1 of San Carlos Commercial Site No. 1, Resubdivision
No. 1, Map-5298 and portions of Lots 12, 13 & 19 of
Map-4396 located on the north side of Navajo Road at the
corner of Lake Murray Boulevard.

- 1) Rezoning a portion of the above-described real property
from Zone CP to Zone CO.

19900109

- 2) Appeal of Patricia Paz, Don M. Paz, Lawrence D.
Tomlinson, Joyce Dunne, Aubrey C. Dunne, Sandra Wexler
and Helen F. Smith, from the decision of the Planning
Commission in approving Planned Commercial Development
Permit and Conditional Use Permit PCD/CUP-88-0494 to
demolish an existing office complex and construct a
19,020-square-foot retail/office center with associated
parking and landscaping. The applicant is requesting a
variance to allow a ten foot rear yard setback where 15
feet is required, and a Conditional Use Permit for
parking in a residential zone on the above-described
real property.

(PCD/CUP/RZ-88-0494. District-7.)

Subitem-A: (R-90-881) ADOPTED AS RESOLUTION R-274966

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-88-0494
has been completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines, and
that said declaration has been reviewed and considered by
the Council.

Subitem-B: (O-90-108) INTRODUCED, TO BE ADOPTED JANUARY
22, 1990

Introduction of an Ordinance for CO Zoning.

Subitem-C: (R-90-1431) ADOPTED AS RESOLUTION R-274967,
DENIED APPEAL, GRANTED PERMIT AS

AMENDED

Adoption of a Resolution granting or denying the appeal and granting or denying the PCD permit, with appropriate findings to support Council action.

Subitem-D: (R-90-1432) ADOPTED AS RESOLUTION R-274968,
DENIED APPEAL, GRANTED PERMIT AS
AMENDED

Adoption of a Resolution granting or denying the appeal and granting or denying the CUP permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A & D PERM CUP 88-0494; Subitem B
ZONE ORD. NO.; Subitem C PERM - PCD 88-0494

COUNCIL ACTION: (Tape location: G620-H570.)

Hearing began at 4:27 p.m. and halted at 5:06 p.m.

Testimony in favor of the appeal by Don Paz, Gerard Marchand, Sandra Wexler, Barbara Massey and Patricia Paz.

Testimony in opposition to the appeal by Tim Cohelan.

Mayor O'Connor closed the hearing.

MOTION BY McCARTY TO DENY THE APPEAL AND APPROVE THE PROJECT WITH THE CONDITIONS LISTED BY HERSELF AND THE PLANNING COMMISSION. (NOTE: THE CONDITIONS ARE AS FOLLOWS: 1. PROVIDE CONCRETE SIDEWALKS FROM THE END OF THE PROPERTY TO LAKE BISBY AVENUE. 2. THE LANDSCAPE PLAN IS TO SHOW 2:1 REPLACEMENT OF EXISTING TREES. 3. THERE WILL BE NO DRIVE-THRU. 4. RESTAURANT USES TO BE LIMITED TO 25% OF THE ENTIRE SITE.)

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-339: (O-90-97 Rev.1) CONTINUED TO FEBRUARY 6, 1990, at
2:00 P.M.

(Continued from the meeting of December 4, 1989, Item 53, at Council Member Filner's request, for an attorney's opinion on the noticing and the environmental review issues, and for a public hearing on January 9, 1990.)

Adoption of an Ordinance amending Chapter X, Article 3, Division 4 of the San Diego Municipal Code, by amending Section 103.0407, for design criteria and height regulations up to 75 feet within the Gaslamp Quarter, with the Planning Director granting height exceptions up to 125 feet on parcels of 30,000 square feet south of Island Street.

(District-8. Introduced as amended on 11/21/89. Council voted 6-1. District 8 voted nay. Districts 1 and 6 not

present.

FILE LOCATION: LAND - Gaslamp Quarter

COUNCIL ACTION: (Tape location: E015-065.)

MOTION BY FILNER TO CONTINUE TO FEBRUARY 6, 1990, AT 2:00 P.M., AT THE CITY ARCHITECT'S REQUEST, PENDING SANDAG REVIEW AND ACTION. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

ITEM-S500: (O-90-126) REFERRED TO PF&R COMMITTEE

Introduction of an Ordinance amending Chapter VI, Article 3, of the San Diego Municipal Code by adding Section 63.02.35 relating to the Consumption of Alcohol at Public Parks and Beaches.

(See memorandum from the City Attorney dated 1/3/90.)

COMMITTEE ACTION: Initiated by PFR on 12/13/89. Approving a Citywide ban on alcohol at beaches, parks, and associated parking lots. Districts 1, 3, 6, 7 and 8 voted yea.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A249-D242.)

MOTION BY FILNER TO REFER THE ORDINANCE TO THE PF&R COMMITTEE FOR FURTHER DISCUSSION. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (O-90-125) INTRODUCED TO BE ADOPTED JANUARY 22, 1990

Introduction of an Ordinance amending Chapter X, Article 3, Division 8 of the San Diego Municipal Code by amending Section 103.0802.1 relating to Appeals of Signs, to amend the Midway Planned District Ordinance to bring it into conformance with the hearing process of the Citywide Sign Ordinance.

(See memorandum from Council Member Roberts dated 1/2/90. District-2.)

PLANNING DEPARTMENT SUPPORTING INFORMATION: The Midway
Planned District Ordinance - Municipal Code Section 103.0800 -
currently provides that appeals of the Planning Director or
designee for variances from the general regulations of the
planned district ordinance may be made to the Planning
Commission and that the Commission decision is final. This
amendment to the planned district ordinance is made to allow the
appeals of variances to follow the same route as appeals that
are made pursuant to City-Wide zones. Currently the planned
district ordinance states that the provisions therein override
City-Wide regulations where there is a conflict. The amendment
will remove that conflict and refer sign appeals to the
City-Wide process found in Municipal Code Section 101.0503. The
Transportation and Land Use Committee will consider this matter
on January 8, 1990.
Spaulding/Balko/McCullough

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F461-490.)
MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE. Second by
Bernhardt. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,
Henderson-not present, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-CS-1: (R-90-1070) ADOPTED AS RESOLUTION R-274962

A Resolution adopted by the City Council in Closed Session
on Tuesday, January 9, 1990:
Authorizing the City Manager to pay the sum of \$42,500.00
in the settlement of each and every claim against the City
of San Diego, its agents and employees, in Superior Court
Case No. 597395 Croteau v. Lemay, et al resulting from
personal injuries to Jocelyn Croteau; authorizing the City
Auditor and Comptroller to issue one check in the amount of
\$42,500.00, made payable to Jocelyn Croteau and Jacquelynne
Garner, Attorney, in full settlement of all claims.
Aud.Cert.: 9000584.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor at 5:10 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H575-580).